

12-19-01

A

FISH & RICHARDSON P.C.

December 12, 2001

225 Franklin Street
Boston, Massachusetts
02110-2804

Telephone
617 542-5070

Facsimile
617 542-8906

Web Site
www.fr.com

10/021368
12/12/01

12/12/01
J1060 U.S. PTO
Frederick P. Fish
1855-1930
W.K. Richardson
1859-1951

Attorney Docket No.: 00398-100005

Box Patent Application

U.S. Patent and Trademark Office
Assistant Commissioner for Patents
Washington, DC 20231

Presented for filing is a new divisional patent application of:

Applicant: VIMLA BAND

Title: NES-1 POLYPEPTIDES, DNA, AND RELATED MOLECULES AND METHODS

The prior application is assigned of record to New England Medical Center Hospitals, Inc., a Massachusetts corporation, by virtue of an assignment submitted to the Patent and Trademark Office for recording on September 11, 1995 at 7643/0711.

Enclosed are the following papers, including those required to receive a filing date under 37 CFR §1.53(b):

	<u>Pages</u>
Specification	43
Claims	9
Abstract	1
Declaration	1
Drawing(s)	7

Enclosures:

- Copy of Petition for Extension of Time in the parent application (U.S. Serial No. 09/605,175)
- Form PTO-1449, 4 pages, listing documents cited in the parent application. Please confirm that these documents have been considered in

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EL 932076115 US

I hereby certify under 37 CFR §1.10 that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addressee with sufficient postage on the date indicated below and is addressed to the U.S. Patent and Trademark Office Washington, D.C. 20231

Date of Deposit

December 12, 2001

Signature

Typed or Printed Name of Person Signing Certificate

Leroy Jenkins



BOSTON

DALLAS

DELAWARE

NEW YORK

SAN DIEGO

SILICON VALLEY

TWIN CITIES

WASHINGTON, DC

10021368-121201

U.S. Patent and Trademark Office

December 12, 2001

Page 2

this application by returning a copy of the Form PTO-1449 with the Examiner's initials.

- Preliminary amendment, 4 pages.
- Postcard.

This application is a divisional application of U.S.S.N., 09/605,176, filed June 28, 2000, which is a continuation of U.S.S.N. 09/201,038, filed November 30, 1998, which is a continuation application of U.S.S.N.08/628,198, filed April 5, 1996 (now U.S. Patent No. 5,843,694), which is a divisional application of U.S.S.N. 08/467,155, filed June 6, 1995 (now U.S. Patent No. 5,736,377). The disclosure of the prior application is considered part of (and is incorporated by reference in) the disclosure of this application.

Basic filing fee	\$370
Total claims in excess of 20 times \$9	\$0
Independent claims in excess of 3 times \$42	\$0
Fee for multiple dependent claims	\$0
Total filing fee:	\$370

The filing fee is calculated based on the claims pending following entry of the Preliminary Amendment filed herewith. A check for the filing fee is enclosed. Please apply any other required fees or any credits to deposit account 06-1050, referencing the attorney docket number shown above.

This application is entitled to small entity status.

If this application is found to be incomplete, or if a telephone conference would otherwise be helpful, please call the undersigned at (617) 542-5070.

FOOTNOTES

FISH & RICHARDSON P.C.

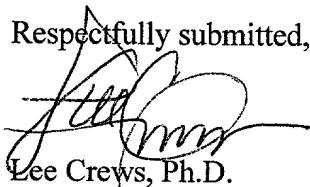
U.S. Patent and Trademark Office
December 12, 2001
Page 3

Kindly acknowledge receipt of this application by returning the enclosed postcard.

Please send all correspondence to:

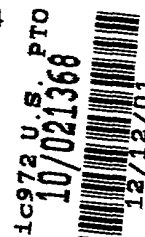
LEE CREWS, PH.D.
Fish & Richardson P.C.
225 Franklin Street
Boston, Massachusetts 02110-2804

Respectfully submitted,



Lee Crews, Ph.D.
Reg. No. 43,567
Enclosures
LLC/mej
20358869.doc

1003-1-1001
"BSE" 2001



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Vimla Band
Serial No. :
Filed : HEREWITH
Title : NES-1 POLYPEPTIDES, DNA, AND RELATED MOLECULES AND METHODS

Art Unit :
Examiner :

Box Patent Application

Commissioner for Patents
Washington, D.C. 20231

REQUEST UNDER 37 C.F.R. §1.821(e) TO TRANSFER
COMPUTER READABLE FORM

The Sequence Listing being filed herewith in the above-referenced continuation application, is identical with that filed in U.S. Serial No. 09/201,038, which was transferred from U.S. Serial No. 08/628,198, both from which this present application claims priority. In accordance with 37 C.F.R. §1.821(e), please use the computer readable form filed in U.S. Serial No. 08/628,198 as the computer readable form for the instant application.

For your convenience, enclosed is a paper copy of the Sequence Listing filed in U.S. Serial No. 08/628,198.

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EL624321505US

I hereby certify under 37 CFR §1.10 that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addressee with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

June 28, 2000

Date of Deposit

Linda Wesley

Signature

Linda Wesley

Typed or Printed Name of Person Signing Certificate

1001368-01

Applicant : Vimla Band
Serial No. :
Filed : HEREWITH
Page : 2

Attorney's Docket No.: 00398-100004

Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 28 JUNE 2000



Anita L. Meiklejohn, Ph.D.
Reg. No. 35,283

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110-2804
(617) 542-5070 telephone
(617) 542-8906 facsimile

20054354.doc

20054354.doc

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Vimla Band
Serial No. :
Filed : HERewith
Title : NES-1 POLYPEPTIDES, DNA, AND RELATED MOLECULES AND
METHODS

Art Unit :
Examiner :

Attention: Official Draftsman
Commissioner for Patents
Washington, D.C. 20231

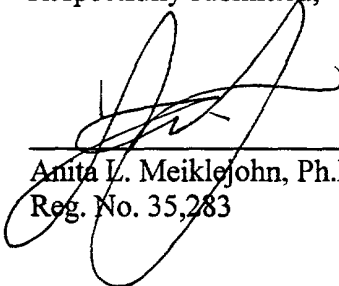
TRANSMITTAL OF FORMAL DRAWINGS

Please substitute the enclosed 7 sheets of formal drawings for the corresponding drawings presently in the application.

Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 28 ~~JUN~~ JUNE 2000


Anita L. Meiklejohn, Ph.D.
Reg. No. 35,283

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110-2804
Telephone: (617) 542-5070
Facsimile: (617) 542-8906

20057432.doc

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EL624321505US

I hereby certify under 37 CFR §1.10 that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addressee with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

June 28, 2000
Date of Deposit
Linda Wesley
Signature
Linda Wesley
Typed or Printed Name of Person Signing Certificate